

**** E-filed June 20, 2011 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NEDRA JOHNSON,

No. C11-01421 HRL

Plaintiff,

**ORDER GRANTING PARTIES'
REQUEST TO CONTINUE THE
INITIAL CASE MANAGEMENT
CONFERENCE**

v.

DIVERSIFIED COLLECTION SERVICES,
INC.,

[Re: Docket No. 6]

Defendant.

On March 24, 2011, plaintiff Nedra Johnson sued defendant Diversified Collection Services, Inc. for violation of the Fair Debt Practices Act, 15 U.S.C. §§ 1692-1962p, and the Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code §§ 1788-1788.33. Docket No. 1.

On June 17, 2011, the parties filed a "Stipulation to Extend Time to Respond to Initial Complaint by Not More than 30 Days," whereby Diversified could file its answer by July 23, 2011. Docket No. 6 ("Stipulation"). Buried within the text of the Stipulation was the following sentence: "The parties also request the Scheduling conference set for June 30, 2011 be continued." *Id.* at 2.

There is no "Scheduling conference" set for June 30. But there is an initial case management conference set for June 21. Docket No. 4. Thus, the Court assumes that the parties meant to request a continuance of the June 21 initial case management conference. Despite several procedural

1 omissions¹, the Court will grant the request, since holding the initial case management conference
2 before Diversified has answered or responded to the complaint would likely be fruitless. Therefore,
3 the initial case management conference is CONTINUED to August 16, 2011 at 1:30 p.m. All Rule
4 26 and ADR-related deadlines are CONTINUED accordingly. The parties shall file a joint case
5 management statement no later than August 9, 2011.

6 In addition, Diversified is reminded that this civil case has been randomly assigned to a
7 magistrate judge for all purposes including trial. Accordingly, it shall, no later than July 1, 2011, file
8 either (1) a Consent to Proceed before a United States Magistrate Judge or (2) a Declination to
9 Proceed before a Magistrate Judge and Request for Reassignment to a United States District Judge.
10 See N.D. Cal. Civ. R. 73-1. The consent and declination forms are available at the Clerk's Office
11 and may also be obtained from the court's website at <http://www.cand.uscourts.gov>.

12
13 **IT IS SO ORDERED.**

14 Dated: June 20, 2011

15 
16 _____
17 HOWARD R. LLOYD
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27

28 ¹ The parties did not submit a chamber's copy of their stipulation, an accompanying declaration, or a proposed order. See Civil L.R. 5-1, 6-2, 7-12.

1 **C11-01421 HRL Notice will be electronically mailed to:**

2 Lara Ruth Shapiro shapiro.lara@gmail.com, larashapirolawoffice@gmail.com

3 **Counsel are responsible for distributing copies of this document to co-counsel who have not**
4 **registered for e-filing under the court's CM/ECF program.**

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28